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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA

In re:

) Case No. 23-03832-CL13

) Chapter 13 Case

;

) DATE: April 17, 2024

TIME: 10:00 AM

JUDGE: HON. G.

JUDGE. R.
LATHAM

DEPT. 5

DEPT. 5

) TRUSTED

TRUSTEE
STATUS

This Statement of Case Status is filed with the Court with respect to Trustee's Objection to Confirmation and Motion to Dismiss. Pending resolution of the following issues, objections remain:

1. There is \$455,785 non-exempt in real property, jewelry, automobile and value in restitution. Plan must provide to pay unsecured creditors in full.
2. Amended Schedules I and J disclose \$2,454 net monthly income while plan payment is \$1,786. Amended Schedule I discloses rental income, pension income and self-employment income.
3. Debtor has failed to provide proof of income and has not provided copies of tax returns to Trustee so that the case must be dismissed pursuant to §§ 521(a)(1)(B)(iv) and 521(e)(2)(B).

1 4. Part 2.4 of the plan provides that debtor both retains and turns over tax refunds. The
2 plan provides for payment of the Debtor's mortgage arrears through the plan by
3 Trustee in Part 3.1 and by way of California Relief Program in Part 9.
4 5. The Debtor's Plan acknowledges in Part 9 that the case will be dismissed within 90
5 days after California Relief Program pays the mortgage arrears—an admission that
6 the case was filed to hinder and delay the collection of a debt.
7 6. Debtor has made no plan payments so that the case should be dismissed pursuant to
8 §1307(c)(1) for a delay that is prejudicial.

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12 Date: March 29, 2024

/s/ Rebecca E. Pennington
13 Attorney for Chapter 13 Trustee

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